

**FILED**

JUN 26 2018

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

2018 JUN 26 AM 9:12

George Moore

Plaintiff,

Case No.: 1:18-cv-02474

Dept. No.: \_\_\_\_\_

ANSWER

vs.

8 Figure Dream Lifestyle LLC, et al.

Defendant

Benjamin RupertDefendant(s), Benjamin Rupert, Pro Se, hereby submits this Answer

to the Complaint on file herein, and alleges as follows:

1. Answering paragraph/allegation(s) 2, 3, 4, 5, 53, 75

of Plaintiff's complaint, Defendant(s) ADMITS each and every allegation contained therein.

2. Answering paragraph/allegation(s) 51, 55, 56, 57, 78 E., 89, 93, 94

of Plaintiff's Complaint, Defendant(s) DENIES each and every allegation contained therein.

3. Answering paragraph/allegation(s) 1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20\* continued on Page 2

of Plaintiff's Complaint, Defendant(s) state(s) that Defendant(s) do(es) not have sufficient knowledge or information to form a belief as to the truth of this Allegation. Therefore

Defendant(s) DENIES each and every allegation contained therein.

4. Answering paragraph/allegation(s) 81-100of the Plaintiff's complaint, Defendant(s) STATE(S) Please see Pg. 2

#3 continued: 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36,  
 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57,  
 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80,  
 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103,  
 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121,  
 122, 123, 124, 125, 126.

#4 continued:

On 5-19-17 one phone call was made to the plaintiff at 630-699-3200 using an auto dialer. The plaintiff responded to the phone call by leaving a voice message(I have still have this voice message available) saying his name was David and he left a call back number of 727-753-8035. I Called the plaintiff back on the phone number he left in his message and he did not answer. I then called him on 630-699-3200 and he did answer and say his name was David Rodriguez at which point he voluntarily signed up to watch a webinar to learn more about starting an online business. He never mentioned that he was on a do not call list. He never asked me not to call him back. He did not attend the webinar and as a result two follow up text messages were sent to his cell phone 727-753-8035. This is the only communication I have had with the plaintiff.

I am not an active member of 8 Figure Dream Lifestyle. I never made a single sale in the online business opportunity and was active for a few months time. I do not own my home. I am the sole income provider for my wife and our 7 soon to be 8 children. I started the online business to help pay down my \$40,000 plus Student loan debt which I still have and am now responsible for the additional debt I incurred while trying to start my online business. My combined total debt exceeds \$70,000 with my credit cards and I own one of my two cars. I have no other assets.

My communication with the plaintiff was never meant to be malicious or harassing. I was simply following the business model that I was shown and following up with what I thought was a legitimately interested prospect(your client). When he did not attend the webinar that he signed up for and did not respond to my two follow up texts so no other attempts to reach him were made.

Please dismiss these charges. Thank you.

**AFFIRMATIVE DEFENSES**

1  
2 1. Defendant(s) hereby incorporate(s) by reference those affirmative defenses  
3 enumerated in JCRCP 8 as though fully set forth herein, as applicable upon discovery. In the  
4 event further investigation or discovery reveals the applicability of any such defenses,  
5 Defendant(s) reserve(s) the right to seek leave of court to amend this Answer to more  
6 specifically assert any such defense. Such defenses are herein incorporated by reference for the  
7 specific purposes of not waiving any such defenses.

8 \_\_\_\_\_ Accord and satisfaction.

9 \_\_\_\_\_ Arbitration and award.

10 ☒ Assumption of risk.

11 ☒ Contributory negligence.

12 \_\_\_\_\_ Discharge in bankruptcy.

13 \_\_\_\_\_ Duress.

14 \_\_\_\_\_ Estoppel.

15 ☒ Failure of consideration.

16 \_\_\_\_\_ Fraud.

17 \_\_\_\_\_ Illegality.

18 \_\_\_\_\_ Injury by fellow servant.

19 \_\_\_\_\_ Laches.

20 \_\_\_\_\_ License.

21 \_\_\_\_\_ Payment.

22 \_\_\_\_\_ Release.

23 \_\_\_\_\_ Res Judicata.

24 \_\_\_\_\_ Statute of frauds.

25 \_\_\_\_\_ Statute of limitations.

\_\_\_\_\_ Waiver.

Answer/PS/57/3-15/10



**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on the 22 day of June, 2018, I placed a true and correct copy of the foregoing ANSWER in the United States Mail at Sacramento, California with first-class postage prepaid, addressed to the following:

David B. Levin  
Law offices of Todd M. Friedman, P.C.  
333 Skokie Blvd Suite 103  
Northbrook IL 60062